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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/716,967	11/19/2003	Maria Adamczyk	9400-48	7546

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EXAMINER	
BATES, KEVIN T	

ART UNIT	PAPER NUMBER
2155	

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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No.	Applicant(s)	
	10/716,967	ADAMCZYK ET AL.	
	Examiner	Art Unit	
	Kevin Bates	2155	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *19 November 2003*.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-33* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-33* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☒ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date *4-8-04*.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____.

DETAILED ACTION

This Office Action is in response to a communication received on November 19, 2003.

The Information Disclosure Statement received April 8, 2004 has been considered.

The drawings have been received on April 19, 2004 and April 28, 2004.

Claims 1-33 are pending in this application.

Claim Objections

Claim 3 is objected to because of the following informalities: It mistakenly has "to the" written twice in a row in the third line of the claim. Appropriate correction is required.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

Claims 1-5, 9-14, 18-22, and 26-30 are rejected under 35 U.S.C. 103(a) as being unpatentable over DSL Forum WT-081 Revision 8 (Applicant's IDS) in view of Freed (7073055).

Regarding claims 1, 10, 18, and 26, the DSL Forum teaches a method of managing Quality of Service (QoS) and/or bandwidth allocation in a Regional/Access Network (RAN) having a broadband access server (BRAS) (Page 20, Figure 20) that provides end-to-end transport between a Network Service Provider (NSP) and/or an Application Service Provider (ASP) (Page 28, Figure 19), and a Customer Premises Network (CPN) that includes a Routing Gateway (RG) (Page 21, Figure 14).

The DSL Forum does not explicitly indicate receiving at the RAN, a service session request from the NSP and/or the ASP including a request to establish or terminate a communication session, the NSP and/or ASP being associated with a service provider record;

authenticating the NSP and/or the ASP based on information contained in the service provider record to provide an authentication result or a termination result; and

transmitting from the RAN, the authentication result or the termination result to the NSP and/or ASP.

Freed teaches a Service network (Abstract) that includes a DSL connection (Column 7, lines 12 – 14) which teaches receiving at the RAN, a service session request from the service provider including a request to establish or terminate a communication session (Column 13, lines 49 – 53), the service provider being associated with a service provider record (Column 13, lines 22 – 26);

authenticating the service provider based on information contained in the service provider record to provide an authentication result or a termination result (Column 13, lines 55 – 59); and

transmitting from the RAN, the authentication result or the termination result to the service provider (Column 14, lines 9 – 14).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to use Freed's teaching of using the service provider's to set up communication sessions in the DSL Forum's network in order to allow the service provider to set up the necessary resources for the customer premises network.

Regarding claims 2, 11, 19, and 27, DSL Forum teaches the method of claims 1, 10, 18, and 26 wherein the RAN comprises a digital subscriber link (DSL) network (Page 32, Figure 21); wherein the DSL network further includes a Network Interface Protocol Handler, a DSL Service Manager, and a DSL Session Data Store; and wherein receiving a service session request from the NSP and/or the ASP comprises receiving the service session request at the Network Interface Protocol Handler (Page 32, under the characteristics section, it teaches that the BRAS receives communications from the service providers, manages QoS, and stores profiles in the policy repository).

Regarding claims 3, 12, 20, and 28, DSL forum teaches the method of claims 2, 11, 19, and 27.

The DSL Forum does not explicitly indicate wherein the service session request comprises an establish service session request and wherein authenticating further comprises: forwarding from the Protocol Handler, the establish service session request to the to the DSL service manager; querying from the DSL service manager, the DSL Session Data Store to obtain the service provider record based on a service provider identifier; validating at the DSL service manager, service provider credentials in the

obtained service provider record; and generating the authentication result responsive to the validation of the service provider credentials.

Freed teaches that the RADIUS server receives the service provider requests, manages those requests, queries the session profiles, validates the request and generates the results (Column 13, line 49 – Column 14, line 14).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to use Freed's teaching of how to handle the service provider request at the server in the DSL Forum in order allow the server to validate the request before allocating the requested resources.

Regarding claims 4, 13, 21, and 29, the DSL Forum teaches the method of claims 3, 12, 20, and 28.

DSL forum does not explicitly indicate wherein transmitting the authentication result further comprises: transmitting from the Protocol Handler, a valid authorization code to the NSP and/or the ASP if the service provider credentials are validated at the DSL service manager; and transmitting from the Protocol Handler, an invalid authorization code to the NSP and/or the ASP if the service provider credentials are not validated at the DSL service manager.

Freed teaches transmitting from the Protocol Handler, a valid authorization code to the NSP and/or the ASP if the service provider credentials are validated at the DSL service manager; and transmitting from the Protocol Handler, an invalid authorization code to the NSP and/or the ASP if the service provider credentials are not validated at the DSL service manager (Column 14, lines 8 – 17).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to use Freed's teaching of how to handle the service provider request at the server in the DSL Forum in order allow the server to validate the request before allocating the requested resources.

Regarding claims 5, 14, 22, and 30, The DSL forum teaches the method of claim 4.

The DSL forum does not explicitly indicate wherein the authentication result is included in a establish service session response from the RAN to the NSP and/or the ASP and wherein the establish service session response is transmitted from the Protocol Handler to the NSP and/or the ASP.

Freed teaches that the authentication result is included in a establish service session response from the RAN to the NSP and/or the ASP and wherein the establish service session response is transmitted from the Protocol Handler to the NSP and/or the ASP (Column 14, lines 8 – 17).

Regarding claim 9, The DSL Forum teaches the method of claim 1 wherein the service provider record comprises a service provider record maintained at the NSP that identifies the NSP, a service provider record maintained at the ASP that identifies the ASP and/or corresponding service provider records maintained at the RAN that identify the NSP and/or the ASP (Page 32, under the characteristics section).

Claims 6-8, 15-17, 23-25, and 31-33 are rejected under 35 U.S.C. 103(a) as being unpatentable over The DSL Forum in view of Freed, and further in view of Zhang (6792457).

Regarding claims 6, 15, 23, and 31, The DSL forum teaches the method of claims 2, 11, 19, and 25.

The DSL forum and the reference, Freed only discloses that the requests being authenticated by the Radius servers are for initiating sessions.

Zhang teaches the system of using requests from the service provider for both requesting sessions and closing sessions that are active (Column 6, lines 20 – 30; Column 7, lines 6 – 20; Column 8, lines 31 – 40).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to use Zhang's teaching in the DSL forum network in order to ensure that the open sessions are closed and the resources can get reallocated.

Regarding claims 7, 16, 24, and 32, The DSL Forum teaches the method of claims 6, 15, 23, and 31.

The DSL Forum does not explicitly indicate releasing session resources associated with the terminated communication session.

Zhang teaches releasing session resources associated with the terminated communication session (Column 7, lines 1 – 20).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to use Zhang's teaching in the DSL forum network in order to ensure that the open sessions are closed and the resources can get reallocated.

Regarding claims 8, 17, 25, and 33, The DSL forum teaches the method of claims 6, 15, 23, and 31.

The DSL Forum does not explicitly indicate wherein transmitting the termination result comprises transmitting a terminate service session response from the Protocol Handler to the NSP and/or the ASP.

Freed teaches that the Radius server sends the response to the service provider for requests issued (Column 14, lines 9 – 14).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to use Freed's teaching of using the service provider's to set up communication sessions in the DSL Forum's network in order to allow the service provider to set up the necessary resources for the customer premises network.

Prior Art

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

U. S. Patent No. 6301618 issued to Sitaraman, because it teaches validating service provider requests and allocating sessions.

U. S. Patent No. 7089316 issued to Anderson, because it teaches a service provider provisioning reasons for a user.

U. S. Patent No. 6801528 issued to Nassar, because it teaches multiple service providers allocating resources.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Kevin Bates whose telephone number is (571) 272-3980. The examiner can normally be reached on 9 am - 5 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Saleh Najjar can be reached on (571) 272-4006. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

KB

Kevin Bates
September 20, 2007